REMARKS

Claims 173-190 are now pending in the application. While Applicant disagrees with the current rejections, Applicant has amended the claims to expedite prosecution. Applicant reserves the right to pursue the claims as originally filed in one or more continuing applications. Support for the amendments new claims can be found throughout the written description, claims, and drawings as originally filed. Therefore, no new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 101

Claim 172 is rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

Claim 172 is cancelled. Accordingly, this rejection is rendered moot.

DOUBLE PATENTING

Claims 1-23, 25, 26, 28-48, and 97-112 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 respectively, of co-pending Application No. 10/184,302 (now U.S. Pat. No. 7,457,676), 1-5, 20-23, 38-41, 56-59 and 74-85 of co-pending

Application No. 10/184,299 (now U.S. Pat. No. 7,315,764), and 1-10, 26-34, and 50-53 of co-pending Application No. 10/184,505 (now U.S. Pat. No. 7,546,172).

Claims 1-23, 25, 26, 28-48, and 97-112 are cancelled. Accordingly, this rejection is rendered moot.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-23, 25, 26, 28-48, 97-112, and 169-172 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,332,175("Birrell"), over Birrell in view of U.S. Pat. No. 6,308,253 ("Gadre"), over Birrell in view of U.S. Pat. No. 6,233,393 ("Yanagihara"), and over Birrell in view of U.S. Pat. No. 5,903,871 ("Terui"). These rejections are respectfully traversed.

Claims 1-23, 25, 26, 28-48, 97-112, and 169-172 are cancelled. Accordingly, these rejections are rendered moot.

NEW CLAIMS

Claim 173 recites that the programmable processor determines a compression format of the compressed media data after the compressed media data is retrieved from the storage device, retrieves a selected one of the plurality of processes in response to determining the compression format, and decompresses the compressed media data based on the selected one of the plurality of processes. Claim 173 further recites a

storage device to store compressed media data and a plurality of processes that decompress the compressed media data.

None of the cited prior art references, either alone or in combination, discloses the above structure. For example, the Examiner relies on Yanagihara to discloses determining "a compression format of the media data stored in said memory and retrieving the process in accordance with the determined compression format."[1] In particular, the Examiner states that "the general controller determines the compression such as one of MPEG audio, Dolby AC-3, and Linear PCM and sets a decoder in accordance with the data received."[2] Applicant respectfully submits that these features are not analogous to the limitations that claim 173 recites.

Applicant respectfully notes that Yanagihara states that "[t]he general controller section 21 may set a decoder, or a parameter(s) pertaining thereto, in the presentation engine 12 in accordance with the received control data." (Col. 2, lines 10-13). The general control data is received from a DVD 101. (Col. 2, lines 5-6). As best understood by Applicant, Yanagihara discloses that the control data is received along with the encoded media data from the same source (i.e. the DVD 101). The general controller section 21 sets decoder parameters

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1 See page 28, lines 15-18 of the February 23, 2006 Office Action.
2 See page 28, lines 18-20 of the February 23, 2006 Office Action.

based on the general control data. Consequently, Yanagihara discloses, at best, receiving encoded media data and general control data, and decoding the encoded media data in accordance with the general control data. Yanagihara is completely absent of any teaching or suggestion of determining a compression format of the compressed media data after the compressed media data is retrieved from the storage device and retrieving a selected one of the plurality of processes in response to determining the compression format.

Independent claim 182 is allowable for at least similar reasons as claim 173. Applicant respectfully notes that claims 174-181 and 183-190 depend directly or indirectly from claims 173 and 182 and therefore are allowable for at least similar reasons as claims 173 and 182. Applicant's position with respect to claims 174-181 and 183-190 should not be understood as implying that no other reasons for the patentability of claims 174-181 and 183-190 exist. Applicant reserves the right to address these other reasons at a later date if needed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly addressed. For all of the reasons set forth above, Applicant submits that the application is in condition for allowance. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. By addressing particular positions taken by the Examiner in the above remarks, Applicant does not acquiesce to other positions that have not been explicitly addressed. In addition, Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

If the Examiner believes that personal communication will allow any outstanding issues to be resolved, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: August 4, 2009   By:

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